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In re Application of NOGUCHI et al
U.S. Application No.: 10/583,058
PCT Application No.: PCT/JP2004/018646
Int. Filing Date: 14 December 2004
Priority Date Claimed: 15 December 2003
Attorney Docket No.: 4439-4044
For: AKT ACTIVITY SPECIFICALLY
INHIBITING POLYPEPTIDE

COMMUNICATION

This is in response to the declaration filed 20 March 2007.

BACKGROUND

On 14 December 2004, applicant filed international application PCT/JP2004/018646, which claimed priority of an earlier Japan application filed 15 December 2003. A copy of the international application was communicated to the USPTO from the International Bureau on 23 June 2005. The thirty-month period for paying the basic national fee in the United States expired on 15 June 2006.

On 14 June 2006, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 22 January 2007, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), which indicated that an oath or declaration in compliance with 37 CFR 1.497 must be filed.

On 20 March 2007, applicant filed an executed declaration.

DISCUSSION

The declaration filed 20 March 2007 is improper. Specifically, the declaration consists of one each of pages 1, 2, and 4 and two of page 3. It is not acceptable to combine pages of different declarations into a composite document. Applicant must submit either: (1) a single

complete declaration which is presented to and executed by all of the inventors or (2) multiple complete declarations, each of which is presented to and executed by at least one of the inventors.

CONCLUSION

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision, including preparation and mailing of a Notification of Defective Response (Form PCT/DO/EO/916) indicating that a proper oath or declaration in compliance with 37 CFR 1.497 must be filed.

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